



ORIGINAL

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November 2, 1999

Via hand delivery

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: CC Docket No. 99-295

Dear Ms. Salas:

On November 1, 1999, Jason Oxman, Meghan Henning, Minda Cutcher, Michael Clancy, and Lucie Poulicakos of Covad Communications met with Carol Matthey, Claudia Pabo, Julie Patterson, and Johanna Mikes regarding Bell Atlantic's New York 271 application. Covad discussed problems it is having with loop provisioning and OSS in New York, and reiterated the position taken in Covad's comments in this proceeding that Bell Atlantic is not in compliance with the 271 checklist. Covad's presentation is detailed in the attached materials.

Very truly yours,

Florence M. Grasso

cc: Carol Matthey
Claudia Pabo
Julie Patterson
Johanna Mikes

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List ABCDE

BELL ATLANTIC - NEW YORK'S 271 APPLICATION

Minda Cutcher, VP - ILEC Relations

Michael Clancy, Director - ILEC
Relations

Lucie Poulicakos, Director - Customer
Support

Covad Communications Company

November 1, 1999

COVAD BACKGROUND

- Largest DSL Provider in NY
- First to Market in NY: 10/98 (compared with BA DSL launch in 5/99)
- First to offer residential DSL service
- Loops:
 - 2,704 provisioned (thru 8/99) (of BA's 3,520 total of DSL and premium loops)
 - 4,775 ordered (thru 8/99).
- Collocations: over 100 across NY (NYC metro, Albany, Buffalo, Rochester, Syracuse)

SUMMARY

- History of Denial, Delay, and Degrade
- Poor Loop Provisioning:
 - 29% on time performance (June through August, 1999)
 - 13% on time performance (August, 1999)
- Inadequate OSS:
 - Discriminatory Access
 - No KPMG test of DSL
- Discriminatory Pricing:
 - No Long Loop Service
- Other Unresolved Issues: No Performance Standards or Remedies to Prevent Backsliding

MANAGING THE PROBLEM

- Moved Service Delivery from California to Boston and New York
- Added Numerous Employees to “Chase” Loop Orders from Order Placement through Provisioning
- Stopped Ordering Long Loops (>18 kft)
- Multiple Performance Reports (Due Date-2, FOC, DD+1,)
- Created ILEC Relations to Escalate Problems
- Loop Acceptance Testing (since 9/15/99)

LOOP PROVISIONING

- Failures that Affect Voice OR Data Services
- Three Points of Delay:
 - Late Due Dates (FOCs): on average 5 business days (BA commits to 72 hrs)
 - Failure to Complete Cross Connect in Central Office
 - Failure to Complete Installation at Customer Premises
- 46 Day Average Interval

LATE DUE DATES

- BA promised interval: 72 hours
- Average interval: 5 business days
- Late Due Dates:
 - Only 50% of Covad's loops receive due dates within 72 hours (6/99-8/99)
 - Only 23% for 8/99

FAILURE TO COMPLETE CENTRAL OFFICE WIRING

- Failed Harris Test:
 - 26% failure for 6/99-8/99
 - Trend worsening:
 - 29% for 8/99
 - 37% for 9/99
- Primary Cause: Failure to Complete Simple Cross Connect in the CO
 - No voice or data can be provided over a loop that is not connected at the CO

FAILURE COMPLETE LOOP INSTALLATION

- Covad does not roll a truck until 7 to 10 days *after* due date due to chronic delays by BA
- Causes of Failed Installations:
 - Loop not delivered
 - Loop not identified (tagged)
 - Loop delivered to wrong location
 - All failures would affect *voice or data*
- 23% Failed Installations for 6/99-8/99

END RESULT OF POOR PROVISIONING

- 100 Orders (stats from 6/99-8/99 performance):
 - 50% receive due date within 72 business hours (50 orders proceed to install)
 - 74% (37 orders) are wired in the CO on the due date
 - 78% (29 orders) are installed at customer's premises
- 29% of original 100 orders are provisioned on time

ACCEPTANCE TESTING

- Covad attempted to get acceptance testing since 3/99
- BA initiated acceptance testing due to 271 case: officially began 9/15
- As of 9/29, no improvement in provisioning:
 - 39% of Covad loops fail Harris Test (9/15-9/29) primarily due to no cross connect in the CO
- BA not testing 100% loops that are due each day
- Average hold times: 2 minutes (required 5 minutes)

OSS: Preorder

- Preorder:
 - Address Verification Is Cumbersome and Time-Consuming:
 - Exact duplication of address is required
 - TISOC frequently queries back to Covad to correct
 - Loop Information Is Not Readily Available, Incomplete, and Suspect

OSS - Ordering

- Order:
 - SBNs: Delayed, Inaccurate, Incomplete
 - TISOC Inadequately Staffed and Trained:
 - Ignorant on DSL Loop Ordering: BA has made loop ordering inordinately complicated (numerous loop products created)
 - TISOC Inconsistent on Error Identification

Ordering - Cont'd

- Order, Cont.:
 - Receipt of Due Dates:
 - BA is chronically late with due dates
 - Continual backlog of orders with no due dates
 - Five business days on average
 - Due dates frequently change without notice to Covad
 - Covad sends BA FOC/Due Date Report Two Times a Week

Ordering - Cont'd

- Order - Cont'd:
 - No Facilities:
 - Increased frequency since ordering DSL loops (BA guaranteed copper facilities)
 - Could mean (1) no copper; (2) no facilities at all; (3) defective loop; (4) long loop
 - Can't get clarification on type of facilities problem: 5 days+ to get response in some instances
 - Receipt of invalid FOCs: BA gives due date before checking availability of facilities then cancels due date and issues new due date

Ordering - Cont'd

- No Facilities - Cont'd:
 - No means to verify no facilities
 - No defined process to deal with no facilities
- Impact of No Facilities:
 - Contact customer and ascertain whether downgrade is acceptable
 - Cancel existing loop order (DSL loop)
 - Submit new order for another type of loop (premium loop)

Maintenance and Repair

- Ping Ponging between RCCC, RCMC and TISOC:
 - RCMC (Maintenance Center) won't dispatch because loop not provisioned
 - RCCC won't allow trouble ticket to be opened for loop that is not accepted
 - Covad accepts loop that hasn't been provisioned in order to open a trouble ticket

M&R - Cont'd

- Multiple trouble tickets needed to clear loop provisioning problems: No Trouble Found
- Vendor Meets after Two Trouble Tickets Opened:
 - BA chronic no-show

EVIDENCE OF DISCRIMINATION

- BA Retail Performance (Crocker Letter):
 - Usual time to install: 7 - 10 days
 - Information Needed to Check Availability:
Phone Number
 - Confirmation that Order Accepted:
Immediate
 - Scheduling of Install Date: Immediate
 - Resolution of Install Problems: High
Priority and Quick Resolution

EVIDENCE OF DISCRIMINATION - CONT'D

- BA Wholesale Performance (Covad):
 - Usual time to install: 30-45 days
 - Info Needed to Check Availability: Phone Number and Exact Street Address
 - Confirmation that Order Accepted: 2 - 6 days
 - Scheduling of Install Date: 14 - 21 days after order placed
 - Resolution of Install Problems: BA cancels order and forces Covad to submit another order

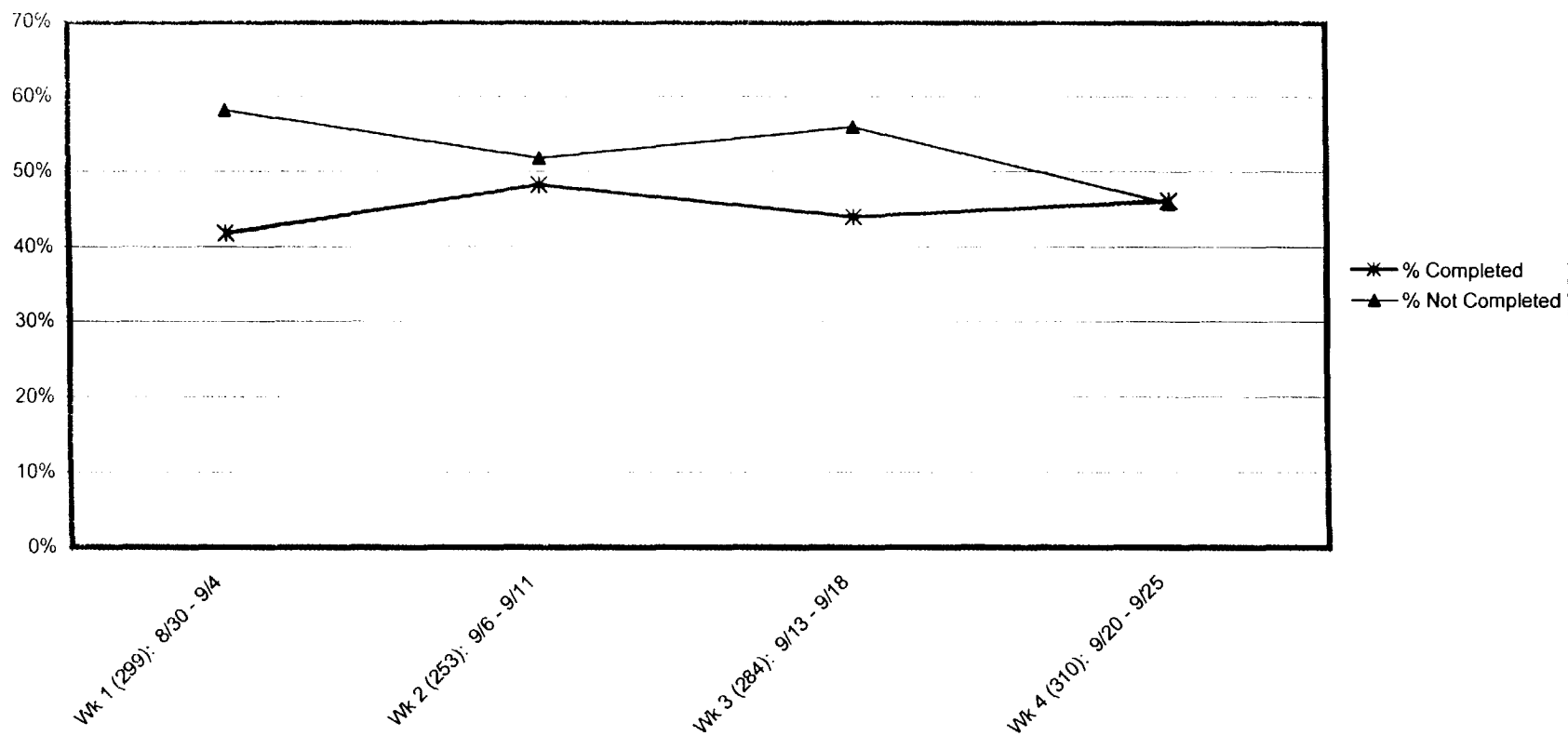
DISCRIMINATORY PRICING

- BA does not charge extra to retail ISDN customers served by long loops
 - Actual evidence provided in Markley Declaration
- BA's Excessive Non-Recurring Charges: Effective Denial of Access to Long Loops

OTHER DISCRIMINATION

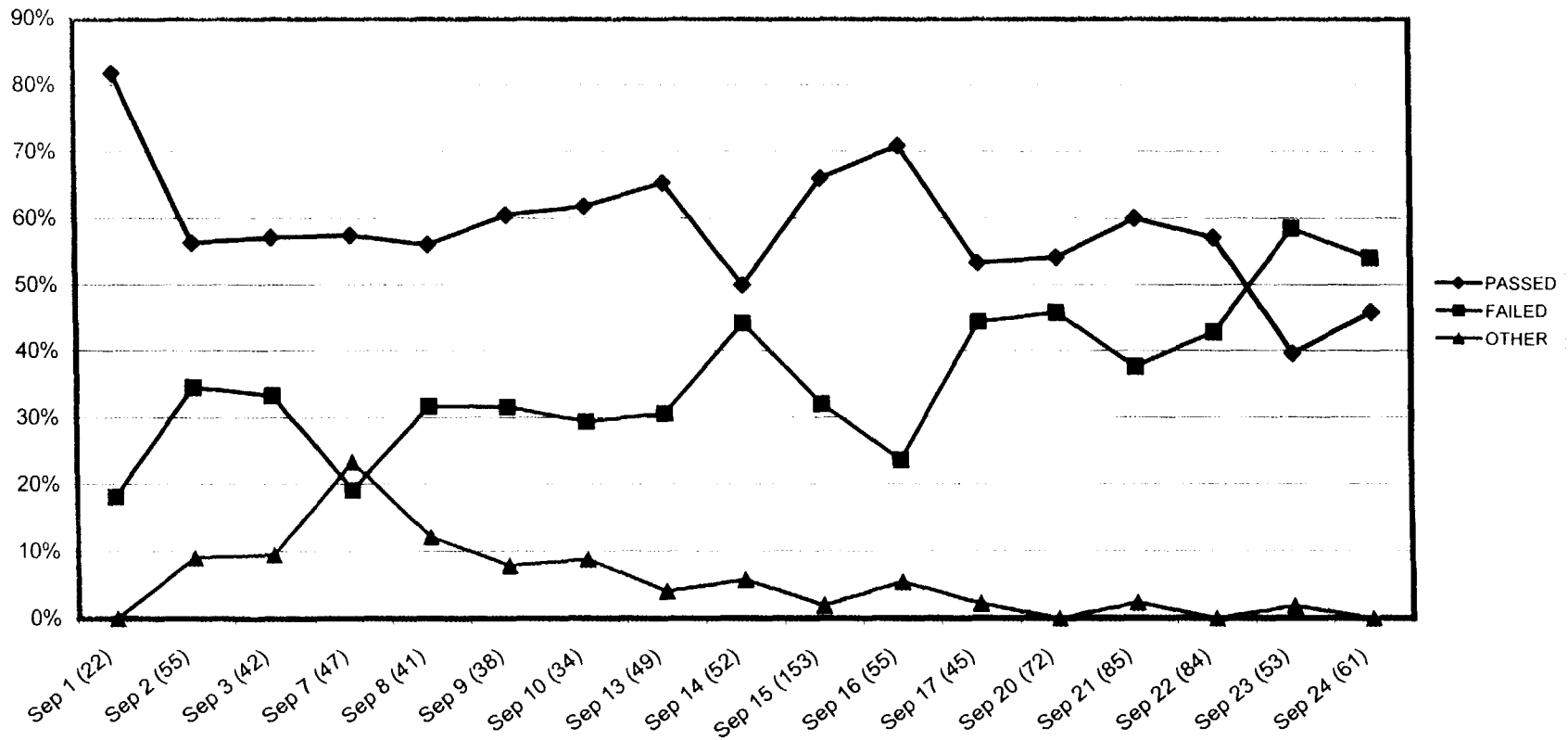
- No Facilities: No Copper Available
- Loop Length Discrepancy

BELL ATLANTIC - NEW YORK PERFORMANCE CHART
NEW INSTALLS SCHEDULED
AUGUST 30, 1999 - SEPTEMBER 25, 1999
(1146 total installs scheduled)



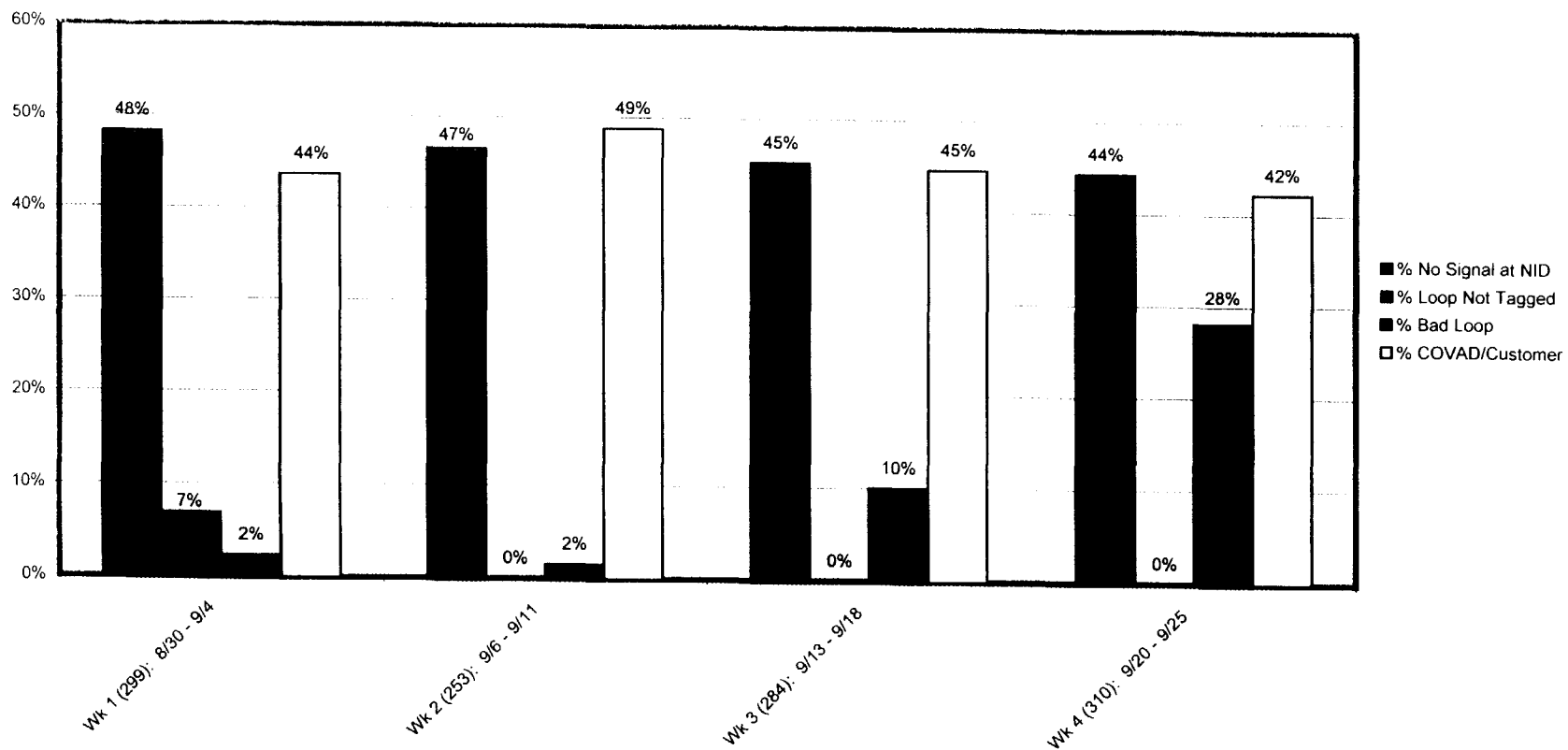
Note: Total new installs is indicated in parentheses after each week

BELL ATLANTIC - NEW YORK
FOC+1 RESULTS
9/1/99 - 9/24/99



Note: Daily total is indicated in parentheses after date

BELL ATLANTIC - NEW YORK PERFORMANCE CHART
NEW INSTALLS SCHEDULED / INCOMPLETE
AUGUST 30, 1999 - SEPTEMBER 25, 1999
 (1146 total installs)



Note: Total incomplete scheduled installs is indicated in parentheses after each week

BELL ATLANTIC - NEW YORK PERFORMANCE CHART
MPOE MEETS SCHEDULED
AUGUST 30, 1999 - SEPTEMBER 25, 1999

